

**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN  
COMPETITION (OVERSEAS CONTRACTING ACTIVITIES)**

**ACQUISITION OF HOTEL ACCOMODATIONS IN SUPPORT OF APEC 2013  
– ISOM and SOM I DELEGATION TRAVEL**

1. I recommend that the Department of State uses other than full and open competition for the acquisition of hotel rooms for this VIP visit. The estimated cost is US\$99,000.00
2. **Nature and/or description of the action being approved**
  - a. ☒ APEC 2013 – SOM III Delegation Visit
3. **A description of the supplies or services required to meet the agency's needs.**
  - a. *JW Marriott Medan, Jl. Putri Hijau No. 10, Medan 20111, Indonesia has approximately 125 sleeping rooms and converted offices.*
4. **An identification of the statutory authority permitting other than full and open competition.**
  - a. *[x] 41 USC 253(c)(2), FAR 6.302-1, Only One Responsible Source and no other supplies or services will satisfy agency requirements (based on market survey with detail below)*
    - i. SOM III meeting will be at the Santika Dyandra hotel and Convention, and the Aryaduta Medan hotel. The Santika Dyandra hotel and Convention is not acceptable to the delegations due to its smoking permitted policy. From 8 floors that the Santika hotel has, only 3 floors are nonsmoking, the rest of the building is smoking permitted area. The second hotel, the Aryaduta, has offered rooms at a limited number, and would not be sufficient to accommodate all delegations. The JW Marriott Medan is only 5 minutes driving from both venues. Post has an Only One Responsible Source justification because the JW Marriott has a sufficient number of guest rooms and control room – meeting room offered. The control room can only be effectively used if it is in close proximity to the conference venue and has sufficient guest rooms. This will allow the U.S. delegates to have access to use the facility to prepare documents before and after the meeting periods. In addition, the Indonesian government has reserved all other control room space options in the close vicinity to the venue and this space is the best remaining option.

**5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions; also required for Only One Responsible Source where more than one offer will not be solicited).**

- a. Security and logistics are the Department of State's primary considerations when procuring hotel rooms. The Department of State must be able to provide a safe and secure environment for VIP visitors. For SOM III VIP visit, Post had to find one hotel in close proximity to the venue as that would satisfy the US Delegation's requirements. Since Medan has very limited numbers of big hotels, it created the Only One Responsible Source justification. At other times, the security requirements and/or requirement of the host country government limit the acquisition to one or a small number of predetermined hotels.
- b. ☐ The VIP visit information was not available in sufficient time thereby creating an urgent and compelling need.
- c. ☒ The proposed contractor has the following unique qualifications which meet the Department of State's security and logistical requirements.

☐ Set-back (hotel is safe distance from the street)

☒ Location (able to secure building, travel route; distance to and from event)

☒ Size and number of rooms (able to house everyone in one hotel)

☒ Conference facilities (adequate space for meetings, press conferences)

☒ Communications (able to install equipment/lines, command center)

☒ Accommodating to security needs

**6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable. The description should include whether a FedBizOps notice was or will be publicized, as required by FAR 5.2, and if not, which exception under FAR 5.202 applies (e.g., blanket waiver provided in DOSAR 605.202-70).**

Post attempted to have the Aryaduta hotel provide a comparable offer, but their number of guest rooms weren't sufficient. All their conference rooms have been reserved by the Indonesian Government.

**7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.**

The JW Marriott's price for standard rooms is above the per diem limit. The control room, converted from a two-bedroom suite, offered only after hard negotiation, will suffice for Control room – Meeting room, and cost effective at the same time.

8. **A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.** *None*
9. **Any other facts supporting the use of other than full and open competition.**  
*None*
10. **A listing of sources, if any, that expressed, in writing, an interest in the acquisition.** *None*
11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.**

## CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

02/20/2013

Date

Margaret C. Sula

Name Margaret Sula

Title S/GSO

Requirements Office

I certify that this submission is accurate, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

3/11/2013

Date

[Signature]

Contracting Officer